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U.S. APPLICATION NUMBER NO. 10/553,386	FIRST NAMED APPLICANT Paul Hallenbeck	ATTY. DOCKET NO. 3802-166-27 NATL
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INTERNATIONAL APPLICATION NO.

PCT/US04/11623

I.A. FILING DATE 04/15/2004	PRIORITY DATE 04/15/2003
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29585
DLA PIPER US LLP
153 TOWNSEND STREET
SUITE 800
SAN FRANCISCO, CA 94107-1957

CONFIRMATION NO. 9076

371 FORMALITIES LETTER



OC000000022986322

Date Mailed: 03/20/2007

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Indication of Small Entity Status
- Priority Document
- Copy of the International Application filed on 10/17/2005
- Copy of the International Search Report filed on 10/17/2005
- Preliminary Amendments filed on 11/22/2006
- Information Disclosure Statements filed on 11/22/2006
- Oath or Declaration filed on 11/22/2006
- Small Entity Statement filed on 10/17/2005
- U.S. Basic National Fees filed on 10/17/2005
- Priority Documents filed on 10/17/2005
- Power of Attorney filed on 11/22/2006

Applicant's response filed 11/22/2006 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 07/26/2006 have not been completed.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
 - THERE NO SIGNITURE BY INVENTORS NAMES & SIGNITURE ON DECL., HAVE NO INVENTOR NAMES TO SHOW HWO SIGNED.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at

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GRAY CARY

63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.** Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.

10/553,386

INTERNATIONAL APPLICATION NO.

PCT/US04/11623

ATTY. DOCKET NO.

3802-166-27 NATL

FORM PCT/DO/EO/916 (371 Formalities Notice)



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TRANSMITTAL FORM

(To be used for all correspondence after initial filing)

	Application No.	10/553,386
	Filing Date	April 15, 2004
	Confirmation No.	9076
	First Named Inventor	Hallenbeck, et al.
	Examiner Name	To be assigned
Total Number of Pages in this Submission:	Attorney Docket No.	3802-166-27 NATL (306229-326)

ENCLOSURES (check all that apply)


<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee attached <input checked="" type="checkbox"/> Preliminary Amendment <input type="checkbox"/> After Final <input type="checkbox"/> Affidavit/Declaration(s) <input type="checkbox"/> Extension of Time Request <input checked="" type="checkbox"/> Notification of Missing Requirements <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts Notice/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Declaration(s) (executed) <input type="checkbox"/> Assignment (executed) <input checked="" type="checkbox"/> Statement Under 37 CFR § 1.821-1.825 <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Declaration Under 37 CFR 1.47(a) (executed) <input type="checkbox"/> Exhibits A-E <input type="checkbox"/> Supplemental Information Disclosure Statement (IDS) <input type="checkbox"/> Substitute PTO Form 1449 <input type="checkbox"/> Cited Reference(s) <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After-Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s): <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> CRF Diskette (one diskette) <input checked="" type="checkbox"/> Sequence Listing (paper copy)
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REMARKS:

Please address all correspondence to Customer Number 29585

The Director is hereby authorized to charge any fees that may be required in connection with the papers submitted herewith that have been inadvertently omitted, specifically including any extension fees that may be required under 37 CFR § 1.136(a), to Deposit Account No. 07-1896 (Charge No. 3802-166-27 NATL (306229-326))

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Signature		Date	April 12, 2007
Name	Linda R. Judge Reg. No. 42,702	Telephone	(415) 836-2500
Address	153 Townsend St., Suite 800, San Francisco, CA 94107	Facsimile	(415) 836-2501